

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

UNITED STATE OF AMERICA

Plaintiff,

v.

PHILLIP JEROME WARRIOR,

Defendant,

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Case No. 08-CR-25-JHP

ORDER AND OPINION


Before the Court is Defendant Phillip Jerome Warrior's Motion for Determination of Competency. [Docket No. 201].

In the motion, Defendant alleges that he has a history of mental problems and has been treated at three mental health facilities in the past. The Government has no opposition to the Defendant's motion.

Based upon the representations of Defendant and his counsel, the Court finds that there is reasonable cause to believe that Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. 18 U.S.C. § 4241(a). Accordingly, the motion is GRANTED. The Court orders a psychiatric or psychological examination of Defendant to be conducted, 18 U.S.C. § 4241(b), to determine the mental competency of Phillip Jerome Warrior as to his current status and at all times relevant to the charges herein, and commits Defendant to the custody of the Attorney General for placement in a suitable facility for purposes of examination, for a period not exceeding thirty (30) days, unless extended as required by law. 18 U.S.C. § 4247(b). The examiner shall file a report in compliance with 18 U.S.C.

§ 4247(c). Upon receipt of this report, the Court will set a competency hearing.

IT IS SO ORDERED this 8th day of April, 2008.



James H. Payne
United States District Judge
Eastern District of Oklahoma